

AMENDED APPLICATION

No. 73373

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 21 2005

Returned to applicant for correction NOV 15 2005

Corrected application filed JAN 03 2006

Map filed JAN 13 2006

The applicant **Clark Joseph Guild III and Catherine L. Guild** hereby make application for permission to change the **Point of diversion Place of use of a portion** of water heretofore appropriated under **permit 28042 C-9855**

1. The source of water is **Underground water well**
2. The amount of water to be changed **0.65 cfs 144.0 AF**
3. The water to be used for **Same as heretofore**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SE¼ SE¼ Section 10, T.11N., R.25E., MDB&M or at a point from which the SE corner of said section 10 bears S.45° 00' 00" E., a distance of 300 feet.**
6. The existing permitted point of diversion is located within **SE¼ SW¼ Section 10, T.11N., R.25E, MDB&M or at a point from which the SW corner of section 10 bears S.88° 48' 03' W., a distance of 1407.24 feet**
7. Proposed place of use **a portion of SE¼ SE¼, Section 10 T.11N., R.25E. MDB&M (36 acres) APN 12-401-23 & 24 For proposed place of use, use map to accompany this application**
8. Existing place of use **S½ SE¼, SE¼ SW¼, Section 10 T.11N., R.25E., MDB&M (111.9 acres) For existing place of use, use PBU map on file under Permit 28042 portion of existing POU being changed is 36.0 ac in SE¼ SE¼ Sec 10 T.11N. R25E. MDB&M**
9. Use will be from **1/1 to 12/31** of each year.
10. Use was permitted from **1/1 to 12/31** of each year.
11. Description of proposed works **Drilled well, pump and motor**
12. Estimated cost of works **\$100,000.00**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks:

By **R. Michael Turnipseed P.E.**
s/ R. Michael Turnipseed PE
204 N. Minnesota Street
Carson City, NV 89703

Compared gkl/sc 1+/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 28042, Certificate 9855, is issued subject to the terms and conditions imposed in said Permit 28042, Certificate 9855, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.65 cubic feet per second, or 144.0 acre-feet per year, and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:
October 5, 2008

Proof of completion of work shall be filed on or before:
November 5, 2008

Water must be placed to beneficial use on or before:
October 5, 2011

Proof of the application of water to beneficial use shall be filed on or before:
November 5, 2011

Map in support of proof of beneficial use shall be filed on or before:
November 5, 2011

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 5th day of October, A.D. 2006

Tracy TGL, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

